

REMARKS

Claims 1-3, 5 & 7 are now pending.

Claims 6 and 8-96 have been cancelled.

Claims 6,7, and 92-96 were objected to under 37 CFR 1.75 as being in improper form because a multiple dependent claim cannot be dependent on a multiple dependent claim. Claims 6 and 92-96 have been cancelled and claim 7 has been amended to remove any multiple dependency. Thus, the amendment of claim 7 is to address this formality and not for a reason related to patentability.

Claims 1-3, 5-7, and 91-96 were rejected under 35 U.S.C.112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 6 and 91-96 have been cancelled. Claims 1-3, 5 and 7 have been amended to address this ground of rejection. Accordingly, withdrawal of this ground of rejection is respectfully requested in view of the above amendments.

Claims 1-3, 5-7 and 91-96 remain rejected under 35 USC §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, has possession of the claimed invention.

Claim 1 and all claims dependent thereon now recite a recombinant expression construct to lower Gly m Bd 30K (Soybean vacuolar protein P34) content of a soybean which comprises a promoter operably linked to an isolated nucleic acid fragment corresponding to all or a part of SEQ ID NO:1 wherein the expression of said construct is sufficient to lower the Gly m Bd 30 K content.

Claim 3 has been amended in a comparable manner.

Accordingly, withdrawal of this ground of rejection is respectfully requested in view of the above amendments.

Claims 1-3, 5-7 and 91-96 were rejected under 35 USC §112, first paragraph, for lack of enablement. It is respectfully submitted that this ground of rejection has been obviated in view of the amendments to the claims and the cancellation of claims 6 and 91-96.

Claim 91 was rejected under 35 USC §101 on the ground that the claimed invention is directed to non-statutory subject matter. This ground of rejection is now moot in view of the cancellation of claim 91.

A Correction of Inventorship under 37 CFR §1.48(b) accompanies this Response After Final.

A Petition for a three (3) month Extension of Time also accompanies this Response After Final.

It is respectfully submitted that the claims are now in form for allowance which allowance is respectfully solicited.

Please charge any fees or credit any overpayment associated with the filing of this Response After Final to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company.)

Respectfully submitted,

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